1Del-001 Chancery Causes: Harriet M Hankins, vs. John J. Hankins & Lee Co.
widow

CA-Estate Dispute
T-Property

To the Worshipful County Court of Lee County in Chancery sitting

Your Orator Harriet M. Hankins widow of Andrew M. Hankins decd respectfully represents That her said husband departed this life on the day of 1860 intestate. That during his lifetime he and Your Orator became joint owners of a certain tract of land lying in the said County of Lee a short distance from the town of Jonesville containing about acres which tract of land was conveyed to them by one Joseph Mehoffey by deed bearing date 185 which is herewith filed & marked (A). The true and correct boundaries of said tract of is specified in said deed and agreed upon between Your Orator and M. B. De Lone the owner of an adjoining tract of land. The said Andrew M. Hankins has left the following Children to wit. John J. Hankins Crockett J. Hankins & Parmelia Hankins who are his heirs at law and infants under the age of 21 years. The object of this bill is to obtain a partition of the said tract of land described in the said deed as she is entitled in her own right to an undivided moiety thereof and she is also entitled to dower interest in the other undivided moiety of said tract of land which has descended to the heirs of the said Hankins dec'd

The prayer of Your Orator therefore

is That the said John J Hankins Crockett
J Hankins & Parmelia Hankins heirs
at law of the said Andrew M
Hankins dec'd be made parties defts
to this bill and that a guardian
ad litim be appointed for them
who will answer this bill upon
oath. That Commissioners be appointed
by a decree of Your worships directed
to partition the said tract of land between
Your orator and the said defendants
and that the said Commissioners be
further directed to lay off Your Orators
dower in land in the moiety which may
be assigned to the said heirs and
grant further and general relief
May it please Your worships to
cause Summons to issue &c
Hagan & Richmond

LH-12

Harriet N. Hankins

vs } Bill

Jno. J. Hankins & others

~~Exhibits filed~~

1861 May Term. Bill filed and answer of David Miller guardian ad litem for the infant defendants, decree and continued.

Fee Not Paid

To the worshipful County Court of Lee County in Chancery sitting.

The answer of John J. Hankins, Crockett J. Hankins and Parmatear Hankins infant heirs of Andrew M. Hankins deceased by David Miller their Guardian ad litem to the bill filed in your worshipful Court by Harriet N. Hankins against these infant respondents respectfully represents that they are infants of tender years and of their own knowledge know nothing of the allegations contained in the complainants bill but they, ~~require~~ ask, that the complainant by required to proceed in the cause according to equity and they ask the protection of the Court in any and every thing that affects their rights in the premises the Court of equity being the peculiar Guardian of the rights of infants they therefore neither admit nor deny the allegations contained in complainants bill and having answered they pray to be disonissed with their costs.

David Miller
Guardian ad litem.

Virginia Lee County to wit:

This day David Miller Guardian ad litem personally appeared before me the undersigned a Justice of the peace in and for said County and made oath that the facts stated in the above answer are true to the best of his knowledge and belief. Given under my hand and seal this the 20th day of May 1861.

John Roach J.P. Seal

Jno. J Hankins & others

ads { Lunacy of infants

S. N. Hankins

Harriet N. Hankins
against
John J Hankins & others
} In Chancery

This Cause Came on again this day to be heard upon the ~~bill exhibits answer~~ bill answer & exhibits formerly read in the cause and the report of W. B. D. Lane Wm Davidson & Thos Lewis Commissioners appointed by a decree in this cause for the purpose of partitioning the land in the bill mentioned between the plaintiff & defendants and also to lay off the said plaintiffs dower interest in that part of the land allotted to the defendants, ~~which report being inspected by the Court and no exception being made thereto the same is confirmed.~~ And in the performance of the duty so assigned the said Commissioners state that they have allotted to the said plaintiff a tract of said land bounded as follows viz Beginning at a stake in the black water road and thence eastward with the northern corner of the division fence between W B D Lane in front of his house & said tract to a stake in the line of said tract above a white oak marked in said line and thence N 2¾ W with a line marked by said Comrs to a stake in the Lincoln road near a pair of dogwoods and thence with said road westward to a stake in the road east of the old barn and thence N 2¾ W passing about midway between two large Cypress

trees on the north side of the branch
to a Stake in the back line of the old tract
at the N.W. of the lot fence where Robert
Garrett now lives and thence with the
lines of said tract to a black walnut
corner of said tract and thence with the
western line of the same Southward to the
Lincastle road and with the same
and the black water road to the
beginning. And part of the residue
of the land in the bill mentioned the said
Comrs assigned to the plaintiff her dower
interest which is bounded as follows
Viz Beginning at a Stake in the Lincastle
road a corner to the plaintiffs said moiety
and with a line of the same to a fence
north of the two large Apple trees
before named and thence eastward with
said fence so as to include the same as
a division fence, to a fence running
northward and thence with said fence
to be used as the other Southward
to a Stake in the Lincastle road near the
boys Corner to said moiety and with the
line of the same to the Beginning
To which report no exception has been made
upon Consideration whereof it is ordered
decreed and adjudged that the same
be Confirmed and it is further ordered
that said report be ~~placed in the~~ recorded
in the deed books of this Court.
And it is further ordered decreed and
adjudged that Merion D Richmond
be and he is hereby appointed a Commission
for the purpose and he is directed to convey
by deed with special warranty the moiety
of the land in the bill mentioned allotted
to him by said Commissioners and to the right to that which has been allotted to them
to the next term of this Court and
the Cause is Continued

H. N. Hankins

vs } Decree

John J. Hankins dec'd

Entered June Term
1869 Page 185 & 186

Harriet N. Hankins
against
John J Hankins & others
} In Chancery

Upon the motion of the Plaintiff David Miller was appointed guardian ad litem for the infant defendants who filed an answer in the cause ~~whereupon~~ the Cause Came on to be heard This day upon the bill of Complainant the answer of John J Hankins Crockett J Hankins & Parmelia Hankins the infant heirs of Andrew M. Hankins dec'd by David Miller their guardian ad litem. the Exhibit filed and was argued by Counsel. Upon Consideration whereof the Court doth order decree and adjudge that William Davidson Charles Cook and Michael B Le Lane be and they are hereby appointed Commissioners for the purpose and they are directed to make partition of the land described in instrument (A) between the plaintiff and the defendants laying off to the plaintiff one moiety thereof and to the infant defendants the other moiety taking into Consideration quantity and quality And the said Commissioners are further directed to lay off for the plaintiff from the moiety allotted to the defendants her dower in land to which she is entitled as the widow of Andrew M Hankins dec'd as stated in the bill And report their proceedings to this Court and the Cause is Continued.

Harriet N. Hankins

vs. } Decree

Jno J. Hankins et als

Entered May Term 1861
Order Book. Page 180

Virginia,

At a Court begun and held for Lee County at the Court house thereof, on Monday the 20th day of May 1861.—

Harriett N. Hankins Plff.
against
John S. Hankins et al Defts.
} In Chancery.

Upon the motion of the Plff. David Miller, was appoin-ted guardian ad litem for the infant defendants, who filed an answer in the cause; Whereupon the cause came on to be heard this day, upon the bill of Complainant, the answer of John S. Hankins, Crockett S. Hankins, and Parmateer Hankins, the infants heirs of Andrew M. Hankins deceased, by David Miller their guar-dian ad litem, the exibit filed, and was argued by Counsel Upon Consideration whereof the Court doth order, decree, and adjudge that William Davidson, Charles Cook, and Michael B. D. Lane, be and they are hereby appointed Commissioners for the purpose, and they are directed to make partition of the land, described in instrument (A) between the Plff. and the Defendants, laying off to the Plff. one moiety thereof, and to the infant defendants, the other moiety, taking into consideration, quan-tity, and quality, and the said Commissioners are further directed to lay off, for the Plaintiff from the moiety allotted to the defendants, her dower interest to which she is entitled as the widow of Andrew M. Hankins deceased, as stated in the bill, and report their proceedings, to this Court, and the Cause is Continued—

A Copy.
Teste— William S. Gaul. D.C.

L. N. Hankins

vs. Copy Decree

L. L. Hankins et als

Pursuant to a decree entered in the cause of Harriet N. Hankins vs. John L. Hankins & others at the May term of the County Court of Lee County for the year 1861, we the undersigned Commissioners proceeded on the 7th day of June 1861 to perform the duties designated in said decree by alloting to the said Harriet N. Hankins one moiety of the tract of land in the complainants bill mentioned, having due regard to quality & quantity in connection with buildings &c, by the following meets & bounds that is to say: Beginning at a stake in the Black water road, and thence eastwardly with the northern corner of the division fence between W. B. Lane & said tract to a stake in the line of said tract above a white oak marked in said line, and thence N 23 W with a line marked by us, to a stake in the Fincastle road near a pair of draw bars, and thence with said road westward to a stake in the road east of the old barn, and thence N 23 W. passing about midway between two large apple trees on the north side of the branch to a stake in the back line of the old tract, at the N.W. of the lot fence where Robert Garrett now lives, and thence with the lines of the said tract to a black Walnut, corner

of said tract, and thence with the western line of the same southward to the Pincastle road and with the same and the Black water road to the beginning, and the residue of the said tract in the bill mentioned we assigned to the heirs of the Andrew W Hankins dec'd as their moiety, and out of said moiety, in further obedience to said decree, we allotted to the said Harriet N. Hankins her dower as the widow of Andrew W Hankins dec'd, by the following meter & bounds, that is to say

Beginning at a stake in the Pincastle road, a corner to her moiety, & with a line of the same to a fence north of the two large Aspen trees above named, and thence eastward with said fence so as to include the same as a division fence, to a fence running northward, and thence with said fence to be used as the other, southward, to a stake in the Pincastle road near the Ram, corner to said moiety, and with the line of the same to the beginning; with all the appurtenances in each allotment. all of which is respectfully submitted.

W. B. D Lane
Wm. Davidson
Chowles Cook
} Commissioners

Harriet A Hankins

vs

John S. Hankins Adm.

Report Commissioners

June 1861.